

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MICHAEL S. ARGENYI,)	CASE NO. 8:09CV341
)	
Plaintiff,)	
)	
v.)	ORDER
)	
CREIGHTON UNIVERSITY,)	
)	
Defendant.)	

This matter is before the Court on the Defendant's Motion to Limit Use of Communications Access Realtime Transcription ("CART") During Trial (Filing No. 320), filed on August 13, 2013. Because the jury trial in this matter is scheduled to commence on August 20, 2013, the Court will not await the usual response time before ruling on the Motion.

IT IS ORDERED:

1. The Defendant's Motion to Limit Use of Communications Access Realtime Transcription During Trial (Filing No. 320) is denied;
2. The Court may provide the Plaintiff with access to CART services during trial;
3. If the Plaintiff chooses to use CART services during trial, as provided by the Court or otherwise, he will be seated at the west side of the west counsel table, away from the view of the jury, to minimize the likelihood that the jury will be distracted or unduly influenced by his use of such service;
4. Counsel for the parties will make no reference to the Plaintiff's use of CART services in the presence of the jury; and
5. Defense counsel may request a limiting instruction from the Court to the jury regarding the Plaintiff's use of CART services during the proceedings.

DATED this 15th day of August, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge